

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION**

Toya Wilson,

Plaintiff,

v.

Wells Fargo Bank, N.A.,

Defendant.

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Civil Action No. 3:17-cv-00019-TCB-
RGV

PLAINTIFF’S INITIAL DISCLOSURES

Plaintiff Toya Wilson, by and through counsel, hereby submits her Initial Disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1) and Local Rule 26.1 as follows:

(1) State precisely the classification of the cause of action being filed, a brief factual outline of the case including Plaintiff’s contentions as to what Defendant did or failed to do, and a succinct statement of the legal issues in the case.

RESPONSE: Plaintiff seeks redress for Defendant’s repeated violations of the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.* (the “TCPA”). Specifically, Plaintiff alleges that Defendant violated the TCPA by placing automated calls to her cellular telephone number without her prior express consent.

(2) Describe in detail all statutes, codes, regulations, legal principles, standards and customs or usages, and illustrative case law that Plaintiff contends are applicable to this action.

RESPONSE: The TCPA is applicable to this action.

(3) Provide the name and, if known, the address and telephone number of each individual likely to have discoverable information that you may use to support your claims or defenses, unless solely for impeachment, identifying the subjects of the information.

RESPONSE:

- a. Plaintiff Toya Wilson. Plaintiff may be contacted through her counsel. Plaintiff will testify as to the allegations in her complaint and her damages.
- b. A representative of Defendant. This person is expected to testify as to the facts and circumstances underlying Plaintiff's claims against Defendant.

Plaintiff respectfully reserves the right to supplement this response, as appropriate.

(4) Provide the name of any person who may be used at trial to present evidence under Rules 702, 703, or 705 of the Federal Rules of Evidence. For all experts described in Fed.R.Civ.P. 26(a)(2)(B), provide a separate written report satisfying the provisions of that rule.

RESPONSE: Plaintiff has not identified an expert witness at this early stage of litigation. Plaintiff respectfully reserves the right to supplement this response, as appropriate.

(5) Provide a copy of, or a description by category and location of, all documents, data compilations or other electronically stored information, and tangible things in your possession, custody, or control that you may use to support your claims or defenses unless solely for impeachment, identifying the subjects of the information.

RESPONSE: Plaintiff has screenshots showing calls from Defendant. Plaintiff respectfully reserves the right to supplement this response, as appropriate.

(6) In the space provided below, provide a computation of any category of damages claimed by you. In addition, include a copy of, or describe the category and location of, the documents or other evidentiary material, not privileged or

protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered, making such documents or evidentiary material available for inspection and copying as under Fed.R.Civ.P. 34.

RESPONSE: Plaintiff seeks all available damages pursuant to the TCPA. Plaintiff has screenshots showing calls from Defendant. Plaintiff respectfully reserves the right to supplement this response, as appropriate.

(7) Attach for inspection and copying as under Fed.R.Civ.P. 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment that may be entered in this action, or to indemnify or reimburse for payments made to satisfy the judgment.

RESPONSE: N/A.

(8) Disclose the full name, address, and telephone number of all persons or legal entities who have a subrogation interest in the cause of action set forth in Plaintiff's cause of action, and state the basis and extent of such interest.

RESPONSE: N/A.

Dated: May 4, 2017

Respectfully submitted,

By: /s/ Sergei Lemberg, Esq.

Georgia Bar No.: 598666

Attorney for Plaintiff Toya Wilson

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CERTIFICATE OF SERVICE

I hereby certify that on May 4, 2017, a true and correct copy of the foregoing was served electronically by the U.S. District Court Northern District of Georgia Electronic Document Filing (ECF) system and that the document is available on the ECF system.

/s/ Sergei Lemberg
Sergei Lemberg, Esq.